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**JAN 13 2005**

**OFFICE OF PETITIONS**

In re Application of :  
Lucht, Brett :  
Application No. 10/693,335 :  
Filed: October 24, 2003 :  
Attorney Docket No. 5156CON :  
ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed January 5, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Application (Notice) mailed January 26, 2004. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on March 27, 2004. A Notice of Abandonment was mailed on November 19, 2004.

On December 8, 2004, patent fees were increased. The additional claims fee, required by the Notice, is now \$75.00. The small entity petition fee is now \$750.00. Petitioner only submitted \$685.00 towards payment of the petition fee. Accordingly, an additional \$140.00 will be charged to petitioner's deposit account as authorized for the difference.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b).

This matter is being referred to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3282.

*Liana Chase*  
Liana Chase  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy